

In the
Indiana Supreme Court



IN THE MATTER OF THE
APPROVAL OF LOCAL RULES
FOR JASPER COUNTY

Case No.

37500-1108-MS-479

ORDER APPROVING AMENDED LOCAL RULE

The Judges of the Jasper Circuit and Superior Courts request the approval of an amended local rule for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Jasper Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR37-AR00-04 complies with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rule LR37-AR00-04 for Jasper County Courts, set forth as an attachment to this Order, is approved effective retroactive to July 25, 2011. The Clerk of this Court is directed to forward a copy of this Order to the Hon. James R. Ahler, Jasper Superior Court, 115 West Washington Street, Rensselaer, IN 47978-2890; the Hon. John D. Potter, Jasper Circuit Court, 115 West Washington Street, Rensselaer, IN 47978-2890; to the Clerk of the Jasper Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Jasper Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 2d day of August, 2011.

Acting Chief Justice of Indiana

LR37-AR00-04**Case Allocation**

- A. All Capital Murder Cases (LP/DP) shall be filed in the Jasper Circuit Court.
- B. All Murder (MR), Felony (CF), Class A Felony (FA), Class B Felony (FB), Class C Felony (FC) and Class D Felony (FD) cases shall be filed as follows:
 - 1. All cases involving charges which occurred on odd numbered days of the calendar year shall be filed in the Jasper Superior Court.
 - 2. All cases involving charges which occurred on even numbered days of the calendar year shall be filed in the Jasper Circuit Court.
 - 3. For purposes of judicial economy, notwithstanding this rule, a felony or murder case may be filed in the Jasper Circuit or Jasper Superior Court without regard for the date of the offense if the named defendant already has pending felony charges in either the Jasper Circuit or Jasper Superior Court which have not yet reached a conclusion on the merits.
- C. All Criminal Misdemeanor cases (CM) shall be filed in the Jasper Superior Court except as noted below:
 - 1. For purposes of judicial economy, notwithstanding this rule, a Criminal Misdemeanor (CM) may be filed in the Jasper Circuit Court if the named defendant already has pending felony charges in the Jasper Circuit which has not yet reached a conclusion on the merits.
 - 2. Any Criminal Misdemeanor (CM) case where the defendant was summonsed to court by a Uniform Complaint and Summons, electronic or otherwise, and not arrested for the misdemeanor offense shall be filed in the Jasper Circuit Court with the Infractions (IF) pursuant to sub-part D of this rule.
- D. All Infractions (IF) shall be filed in the Jasper Circuit Court.
- E. All Small Claims (SC) shall be filed in the Jasper Circuit Court.
- F. All Post Conviction Relief Petitions (PC) shall be assigned to the Court in which the judgment of conviction was entered. The Clerk shall assign the Post Conviction Relief Petition a new "PC" cause number and also consolidate the previous cause in which the judgment of conviction was entered with the new cause.
- G. All juvenile cases (JC, JD, JS, JP, JM, JT), pursuant to statute and this rule shall be filed in the Jasper Circuit Court.
- H. All other civil cases may be filed as has been traditional, in either Circuit or Superior Court.
- I. The Judges of Jasper Superior Court and the Jasper Circuit Court may transfer cases from either Court in order to equalize the caseloads between the courts.